

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
FORT WAYNE DIVISION**

<b>STATE FARM FIRE &amp; CASUALTY</b>	)	
<b>COMPANY, as subrogee of Kenneth Burkhart,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>CAUSE NO. 1:13-CV-184</b>
	)	
<b>GENERAL MOTORS LLC,</b>	)	
	)	
<b>Defendant.</b>	)	

**OPINION AND ORDER**

Defendant removed this case to this Court on June 10, 2013, based on diversity jurisdiction pursuant to 28 U.S.C. § 1332(a). (Docket # 1.) Upon reviewing the original Notice of Removal, the Court found the allegations of Defendant General Motors LLC’s citizenship inadequate to establish diversity jurisdiction because they made no reference to the citizenship of General Motors LLC’s members, which determines its citizenship. (Docket # 7); *see Cosgrove v. Bartolotta*, 150 F.3d 729, 731 (7th Cir. 1998) (noting that “the citizenship of an LLC for purposes of [ ] diversity jurisdiction is the citizenship of its members”).

As such, Defendant was directed to file an Amended Notice of Removal (Docket # 7), which it subsequently did (Docket # 8). The Amended Notice of Removal alleges the following:

Defendant General Motors LLC is . . . a Delaware limited liability company with its principal place of business in the State of Michigan, and is a citizen of the States of Delaware and Michigan. General Motors LLC is fully owned by General Motors Holdings LLC. General Motors Holding LLC is a Delaware limited liability company with its principal place of business in the State of Michigan, and is a citizen of the States of Delaware and Michigan. General Motors Holdings LLC is a wholly-owned subsidiary of General Motors Company, which is a Delaware corporation, which has its principal place of business in the State of Michigan, and which is a citizen of the States of Delaware and Michigan.

(Am. Notice of Removal ¶ 4(a)(ii).)

These allegations, however, are still insufficient to establish General Motors LLC's citizenship because they merely go up the chain, recounting its ownership. But to establish General Motors LLC's citizenship, the allegations must go *down* the chain, reciting its *members*, rather than owners. That citizenship must then be "traced through multiple levels" for those members of General Motors LLC who are themselves a partnership or a limited liability company. *Mut. Assignment & Indem. Co. v. Lind-Waldock & Co., LLC*, 364 F.3d 858, 861 (7th Cir. 2004).

Accordingly, Defendant is ORDERED to supplement the record by filing a Second Amended Notice of Removal on or before June 25, 2013, properly alleging the members of Defendant General Motors LLC and their citizenship and tracing the citizenship of all unincorporated associations through all applicable layers of ownership.

SO ORDERED.

Enter for this 11th day of June, 2013.

/S/ Roger B. Cosbey  
Roger B. Cosbey,  
United States Magistrate Judge